

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

FELIPE U. URIARTE, #72970-279

§

§ Civil Action No. 4:18-CV-898

v.

§ (Judge Schell/Judge Nowak)

UNITED STATES OF AMERICA

§

§

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 24, 2021, the report of the Magistrate Judge (Dkt. #13) was entered containing proposed findings of fact and recommendations that *pro se* Movant Felipe U. Uriarte's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (Dkt. #1) be denied, his case be dismissed with prejudice, and a certificate of appealability be denied. The court granted an extension of time to file objections to April 19, 2021, and Plaintiff acknowledged receipt, but no objections were timely filed (Dkts. #15; #16; #17). Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is therefore **ORDERED** that Movant Felipe U. Uriarte's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (Dkt. #1) is **DENIED**.

**IT IS SO ORDERED.**

SIGNED this the 29th day of April, 2021.



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE